

**Consolidated State Application
Title III Accountability Workbook
The State of New Hampshire**



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New Hampshire State Department of Education Consolidated State Application For Title III Accountability Procedures

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Funding of Eligible Programs for Children with Limited English Proficiency

Under Title III of the federal No Child Left Behind (NCLB) Act of 2001, the New Hampshire Department of Education (NHDOE) awards sub-grants to supplemental English language instructional programs for Limited English Proficient (LEP) and immigrant students. The state provides these funds through eligible sub-grantees. In NH, a Title III sub-grantee is usually a group of districts who have elected to form a consortium under one district serving as the fiscal agent for the consortium. The remaining sub-grantees are composed of single districts large enough to qualify for the minimum \$10,000 Title III allocation.

Accountability of Funded Title III Programs

Every sub-grantee funded under Title III is subject to federal rules of accountability. Federal law requires each state to develop Annual Measurable Achievement Objectives (AMAOs) for LEP children served under this part. Such AMAOs must include:

1. Annual increases in the number or percentage of children making progress learning English (AMAO 1), and
2. Annual increases in the number or percentage of children attaining English proficiency by the end of each school year, determined by a valid and reliable assessment of English language proficiency (AMAO 2), and
3. Making Adequate Yearly Progress (AYP) in academic content areas for LEP children as measured by state content assessments (AMAO 3).

In order to evaluate the performance of funded Title III programs each school year, New Hampshire conducts ACCESS for ELLs[®] statewide assessment. This assessment is used to determine the levels of progress (AMAO 1) and attainment (AMAO 2) of *English language* proficiency being made by students enrolled in Title III funded programs. In a similar way, annual statewide academic assessment (New England Common Assessment Program (NECAP)) is used to determine the levels of proficiency being reached by these students in *academic* content areas (AMAO 3). New Hampshire is a member of both the NECAP Assessment Group and the WIDA Consortium for English Language Proficiency Assessment.

Amendments Presented in this Accountability Workbook:

Only minor amendments are incorporated in this workbook. No changes in substance are proposed from the workbook approved by the USED in 2010. The two changes described below reflect wording clarifications only.

1. The description of how the minimum cell size rule is applied for all Annual Measurable Achievement Objectives (AMAOs) under Title III has been clarified to say that all students are included in the denominator of the calculation for each funded entity, and further, to clarify that this will include students who belong to any member district which does not meet the minimum cell size. AMAO results are not reported at the district level when the total number of students in the district is less than the minimum cell size of 11. However, the funded entity level in NH is the 'consortium'. All students in the consortium (whether or not each member district reaches the minimum cell size) are included in all appropriate AMAO calculations.
2. Table 1 for AMAO 1 has been edited to reduce confusion regarding the fact that NH uses the number of years a student has been enrolled and eligible for Title III services to determine number of years in program for calculation of student progress. The reference to number of tests taken was removed from the table so that schools do not assume that consecutive year scores are used in every case. Rather, the most recent two ACCESS for ELLs® scores are used and the years in program are determined through official enrollment records submitted to the SEA.

Implementation and Public Reporting of Title III Accountability:

❖ AMAO 1 (Progress) Accountability Determinations:

Each reporting year, NHDOE uses the English language proficiency assessment results from the most recent prior school year as the base year for determining and publicly reporting progress made from this base year (year 1) to the reporting year (year 2) for students in each funded entity. Specific AMAO 1 targets and calculation information is provided in the sections that follow.

❖ AMAO 2 (Attainment) Accountability Determinations:

Each reporting year, NHDOE uses the assessment results obtained in that school year to calculate attainment of English language proficiency for students in each funded entity. These determinations are publicly reported. Specific AMAO 2 targets and calculation information is provided in the sections that follow.

❖ AMAO 3 (AYP for LEP Subgroup) Accountability Determinations:

Each reporting year, published statewide AYP results (NECAP and NH-Alternate academic assessments), as reported at the district level, with defined aggregation rules applied for application to Title III reporting on the status of each funded entity, are used to determine LEP student subgroup performance in reading and mathematics. Specific AMAO 3 targets and calculation information are provided in the sections that follow. AMAO 3 determinations are also publicly reported.

Parental notification. Under federal law, in each and every year that a Title III sub-grantee fails to make any of the AMAOs listed above (1, 2, or 3), the sub-grantee is required by the State of NH to ensure that all schools within that funded entity notify parents of all LEP students in their Title III programs of such failure within 30 days of receiving the Title III Accountability Report from the NHDOE.

Parental notification plus improvement plan. If a sub-grantee fails to meet any of the three AMAOs for two (2) consecutive years, then the sub-grantee must also develop an improvement plan in consultation with the NHDOE Title III office, specifically addressing the factors that have prevented the sub-grantee from achieving the AMAO(s). Upon completion of the plan, the sub-grantee is responsible for fully implementing the plan and providing progress updates on a regular basis to the NHDOE Title III office.

Parental notification plus corrective action. If a sub-grantee fails to meet any of the three AMAOs for four (4) consecutive years, then in consultation with the NHDOE Title III office, the sub-grantee must take corrective action by modifying their curriculum, program, and method of instruction for students with limited English proficiency. The corrective action plan must be written to incorporate feedback received subsequent to on-site monitoring and needs assessment by the NHDOE Title III office.

Determinations of Annual, Two-Year, and Four-Year Title III Accountability

1. Accountability status accrues year by year into a history of accountability over time. Each district keeps its own accountability history unless it joins a consortium; at which point the rules for inheriting Title III accountability apply.
The rules for inheriting Title III accountability over time are as follows:
 - a. Title III Accountability is transmitted through the fiscal agent receiving Title III funds (either single district or consortium).
 - b. Districts who join a consortium inherit the accountability history from the fiscal agent serving that consortium. If this district later leaves the consortium, it takes with it the consortium history. (i.e., if a district entered a consortium for only one year and then left it to become independent, then this district would inherit the consortium history even though it belonged for only one year.)
 - c. A consortium remains the same consortium if the fiscal agent stays the same, or, if the fiscal agent changes but all consortium members remain the same.
 - d. A district that leaves a consortium and becomes a fiscal agent carries with it the accountability history it accrued in the prior consortium.
2. Accountability status is calculated in three ways: (a) year to year, (b) two consecutive years, and (c) four consecutive years, as data are available to make a determination for the funded entity.
 - a. “Consecutive” means two successive calendar years in which Title III funding was received.
 - b. Four-year Title III accountability consequences will be based on four consecutive calendar years of Title III funding.
3. Each year, the state releases Title III accountability reports that include year-to-year, two-year and, as applicable, four-year accountability findings for each funded entity.

Minimum Cell Size Rule for Reporting Annual Measurable Achievement Objectives (AMAOs) under Title III

Title III AMAOs (1, 2, and 3) calculations will only be *reported* at the *district level*, when the district has a cell size of 11 or more. These small districts are always members of a larger *funded entity (consortium)*. Below the minimum cell size of 11 (10 or fewer students) no AMAO calculations will be reported. In NH, by definition, all *funded entities* exceed the minimum cell size. Therefore, the minimum cell size reporting rule does not impact the funded entity level AMAO calculations or reporting. All students, including those students from member districts with fewer than 11 students, will be included in the AMAO calculations as appropriate. (Title III Accountability is applied only at the funded entity level and not at the individual district level, unless the district is sufficiently large to qualify as a funded entity. AMAOs are also *reported* publicly, for informational purposes only, at the district level. It is at the district level where some cell sizes are so small that district specific AMAOs will not be reported if number of students in that district is less than 11.)

AMAO 1:

Definition of AMAO 1: Making Progress in Learning the English Language

NH's progress expectation (AMAO 1) is consistent with the expectation that it will take approximately 5 years for the majority of NH students to achieve English language proficiency when given optimum instruction. Acceptable progress should predict attainment of a proficient status score within this time. This is the basis for the formulation that follows.

Changes in overall composite proficiency scores from over time on the ACCESS for ELLs® test are used to determine whether or not students served by Title III funds in NH are making sufficient progress in learning the English language. Reported in the aggregate, annual growth in student proficiency scores provide a window into the quality of the English language instructional programs being provided by our schools. For purposes of accountability, progress data collected (changes in proficiency scores) are aggregated and reported at the funded entity level. (In NH, a funded entity is either a consortium of districts or a single large district.)

The standard of *sufficient progress* is defined on a student-by-student basis, and student level results are then aggregated and reported publicly at the funded entity level where reported cell sizes meet or exceed 11 students. (Individual student level results are reported confidentially to parents, schools, and districts.)

As required under federal law, each funded entity must meet the annual target for percent of students making sufficient progress. (See the AMAO 1 criteria for sufficient student progress, aggregation calculation formula, and funded entity (consortium) targets below.) AMAO 1 targets are the same for every NH funded entity. These targets increase each school year through 2016, as shown in Table 2.

Three methods for demonstrating sufficient progress at the individual student level:

An individual student may demonstrate sufficient progress in one of three ways. All methods assume that the student will attain English language proficiency after receiving 5 years of optimum instruction.

The first method for demonstrating sufficient progress is for the student to show a simple increase from the most recent prior assessed performance in the overall proficiency score on the ACCESS for ELLs® Test. If current and most recent test scores come from non-consecutive years, the department will use official enrollment records submitted by the district to the SEA to determine the total number of years of NH program eligibility to date. Based on the research of Cook, Boals, Wilmes, & Santos, 2007ⁱ, every student is expected to progress quickly in the first year of English language instruction, and to progress at a slightly slower rate in the following years. For this reason, after the first year of LEP instruction students are expected to show a proficiency score gain of 0.7 points (almost a full proficiency level) in English language proficiency. Instruction is assumed to occur in each year of NH program eligibility. With each additional year of program eligibility, each student's proficiency score is expected to increase by at least 0.5 points (half a proficiency level). This supports the assumption that all (or most) NH LEP students will attain English language proficiency after 5 years of quality English language instruction.

The second method for an individual student to demonstrate sufficient year-to-year progress is to attain a specified threshold proficiency score reflecting a rate of growth that *will* result in the attainment of English Language Proficiency after 5 years of quality instruction. This requires the student to make progress increases each year *on average* that are comparable to the increases required in the first method (above). Though the overall rate of growth required is the same between first and second methods, the second method permits some students to show sufficient progress at a more individual pace appropriate to their unique learning needs. Students who meet the progress criterion under the second method must also show an increase in their proficiency score from the prior year.

The third method for determining sufficient progress occurs only after a student has reached 5.0 overall composite proficiency but has not yet attained a score of 4.0 in all four domains. Once a student's overall composite proficiency score on the ACCESS for ELLs® test has reached 5.0, the student is expected to show increases each year in one or more domain scores (listening, speaking, reading, and/or writing) until all domains reach a minimum threshold proficiency score of 4.0 or higher. In NH, a student who reaches an overall composite proficiency score of 5.0 *in combination with* a score of at least 4.0 in each domain meets the English language proficiency threshold and is exited from Title III program services into first year monitoring status.

Table 1:
Criteria for Determining Sufficiency of Individual Student Progress

Number of Years in U.S. Schools:	Sufficient Progress per Student will be determined by meeting either A, B, or C:		
	A. The student's Overall Composite Proficiency Score has increased over prior score by amount below:	Or - B. The student's Overall Composite Proficiency Score has reached threshold score shown below and shows some progress from prior score:	Or - C. Any student who, at any time, reaches an overall composite proficiency score of 5.0 but has not yet attained an exit criterion score of 4.0 in each <i>domain</i> must show <i>domain</i> <i>score increase</i> of at least 0.1 points from the prior year in at least one domain: listening, speaking, reading or writing.
0 years in program	Not calculated, must have 2 scores	Not calculated, must have 2 scores	
1 year in program	+ 0.7 points	Score \geq 3.4 overall and higher than prior year	
2 years in program	+ 0.5 points	Score \geq 3.8 overall and higher than prior year	
3 years in program	+ 0.5 points	Score \geq 4.2 overall and higher than prior year	
4 years in program	+ 0.5 points	Score \geq 4.6 overall and higher than prior year	
5 years in program	+ 0.5 points	Score \geq 5.0 overall and higher than prior year	

Table 2:
AMAO 1 Annual Progress Targets for Funded Entities
(Target % of Students in the Funded Entity Making Sufficient Progress, as defined above.)

2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
55 %	57%	59%	61%	63%	65%	67%

AMAO 1 Calculation, as Aggregated and Reported at the Funded Entity Level:

For each funded entity each school year, the percent of students who demonstrate sufficient progress is calculated and compared to the AMAO (Progress) Target for that school year. See Table 3 below for definition of calculation terms.

Calculate AMAO 1 Progress Outcome as follows:

$$= \frac{\text{Total \# Students in Funded Entity in AUBUC}}{S}$$

Table 3:
AMAO Calculation Terms, Defined

L = All LEP students in Title III funded entity

This data element includes all students in funded entities who were identified in the district submitted BOY/ESOL Student Roster of the current testing year who did not withdraw from school prior to Feb. 1 of that year, plus all students with an ACCESS for ELLs® data record in current test year, even if scores were incomplete or non-existent.

L^A = All LEP students in a Title III funded entity, adjusted for the number of students in that entity who were not tested for one of two state-approved special consideration (SASC) reasons: 1. students with an identified educational disability that is of such severity as to preclude meaningful participation in one or more portions of the ACCESS for ELLs® Assessment who are confirmed as registered participants in the NH Alternate Assessment on alternate achievement standards; or 2. students with state approved medical exemptions.

L^A = Total L – ((Total Exempt for (SASC-Alt) in any sub-domain) + (Total Exempt for SASC-Medical))

S = Total # of all L^A students within the funded entity who have ACCESS for ELLs® test scores for at least 2 years. (It is only these students for whom it is possible to calculate a valid progress score.)

A = Within a funded entity, the total number of students in L^A with two ACCESS for ELLs® test scores, who meet Student Progress Criterion A (specific progress increment). A student may qualify through only one method: A, B, or C. Membership in these groups does not overlap.

B = Within a funded entity, the total number of students in L^A with two ACCESS for ELLs® test scores, who meet Student Progress Criterion B (specific threshold score plus some progress)

C = Within a funded entity, the total number of students in L^A with two ACCESS for ELLs® test scores, who meet Student Progress Criterion C (met 5.0 or better Overall Composite Proficiency Score and Proficiency Score increased in one or more domains)

AMAO 2:

Definition of Attainment of English Language Proficiency

New Hampshire has established English language proficiency assessment score criteria that will stand as the definition of attainment of English language proficiency, ***for purposes of Title III assessment and accountability reporting.***¹ To be identified *English Language Proficient*, a limited English proficient (LEP) student meets the following minimum performance criteria as measured by the ACCESS for ELLs® test of English language proficiency:

1. Overall Composite Score² = 5.0 or above, and
2. Every Domain Score³ = 4.0 or above

AMAO 2 Notes:

¹ This definition impacts the number of students who can be claimed as “Limited English Proficient” by a funding entity under the Title III sub-grantee funding system. Once a student achieves proficient status, he or she is officially exited to “year-one monitoring status” under federal Title III regulations.

² The Overall Composite Score on the ACCESS for ELLs® Assessment is a weighted combined score. In this overall composite score, the four domain scores are combined additively with the following weights applied: listening = 15%, speaking = 15%, reading = 35%, and writing = 35%.

³ ACCESS for ELLs® Assessment scores are provided for these 4 language skill proficiency domains: listening, speaking, reading, and writing.

AMAO 2: Annual Targets for Attainment of Proficiency

The amended AMAO 2 calculation presented in this document is based on the October 17, 2008 Federal Notice of Final Interpretations (NOI) for Title III. The state’s rationale governing the design of this amended procedure is presented below.

Based on national research findings, the state assumes that students arriving in the US with prior formal education tend to acquire English language proficiency within 4 years of entering LEP instructional program services (fastest achieving subgroup). We also assume, on average, that students who arrive without formal education take longer to achieve proficiency (*at least 5 years*). Some students take even longer than 5 years as a part of their natural rate of development. Others take longer due to less than optimal conditions of teaching and learning. National estimates for time needed to acquire English language skills across the LEP population range from 4-9 years for most students to attain proficiency. There is no consensus on how long it *should* take to achieve proficiency in a second language due to the great diversity in this population of students and the complex interaction of factors that impact second language acquisition. The best estimates we currently have are the observational data reported above.

Using the above assumptions we predict that, at any one time, 40% of the state’s total population of LEP students would be in an ESOL program less than 5 years and therefore would not yet be expected to have reached proficiency. Another 30% would be in program 5 or more years,

progressing more slowly toward proficiency in a normal developmental pattern (not due to inadequate instruction). With strong programs, we would expect 30% (the remainder) of our LEP students to reach proficiency each year – on a stable, ongoing basis. This last, relatively stable group of students would have had *sufficient time in program* (5 years) and would be at the point of attaining proficiency. Researchers who have examined the second language acquisition patterns across all the WIDA states are indicating that an appropriate estimated long-term goal falls within the target range we have identified. This target range is supported by the data we have collected across the last 4 years. (H. G. Cook, 2009). Using these observations, and in compliance with recent clarification of the federal requirement that we include all LEP students in the AMAO 2 calculation denominator, we propose the AMAO 2 Proficiency Targets (based on all NH LEP students) shown in Table 4 below:

Table 4
AMAO 2 Annual Targets for Attainment of Proficiency at the Funded Entity Level
 (Target represents percent of LEP students (L^A) in the funded entity expected to attain proficiency in year.)

2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
10%	13%	17%	20%	24%	27%	30%

AMAO 2 Calculation at the Funded Entity Level:

Calculate AMAO 2 Proficiency Outcome as follows:
 (See Table 3 for definition of calculation terms used below.)

$$\frac{\text{Sum of all L}^{\text{A}} \text{ students who have attained an ACCESS for ELLs}^{\text{®}} \text{ Overall Composite Proficiency Score of at least 5.0} + \text{Proficiency Score in every domain at least 4.0}}{\text{Total number of L}^{\text{A}} \text{ students in the funded entity}}$$

AMAO 3:

Definition of Title III Adequate Yearly Progress of LEP Students in Academic Skills

AMAO 3 is derived from academic Adequate Yearly Progress (AYP) performance results for the LEP subgroup as reported at the district level under New Hampshire's approved Title I accountability system. Statewide academic performance results (from NECAP and NH-Alternate assessments) are publicly reported each year by the state showing proficiency in reading and mathematics for all students in each district. These AYP results (as reported for Title I) are calculated by applying federally approved Title I accountability rules for that year. New Hampshire's procedures for calculating AYP for the LEP subgroup have been approved by the federal office that oversees this accountability system. (For more information on New Hampshire's Title I accountability system, see: www.ed.state.nh.us/assessment/.)

Title I District Level AYP accountability findings for the Non- or Limited-English Proficient (LEP) subgroup were used as the sole basis for determining AMAO 3 accountability findings under Title III *for each funded entity*.

AMAO 3: Title III Calculation of Adequate Yearly Progress of LEP Students

In a two-stage process (described below), district AYP findings are aggregated separately for reading and mathematics to produce Title III AMAO 3 reports at the sub-grantee level.

Two Stage Aggregation Process

District AYP findings under Title I are reported separately for elementary/middle schools and for high schools. To report these findings as they reflect Title III accountability, these results have been combined in the following way to create, in two aggregation stages, an overall determination of Title III/AMAO 3 status at the sub-grantee level.

Stage 1: Whole District Combination Rule

A Whole District AMAO 3 determination (combining separate elementary/middle and high school Title I AYP reports for the LEP subgroup) was made by applying the following rule:

- Whole district (combined across all grades) did not meet AMAO 3 for this subgroup if, at a district level, both Elementary/Middle School and High School data missed AYP target in same content area. Otherwise, District met AMAO 3 target for LEP students in this content area.

Stage 2: Consortium Aggregation Rule

A Consortium AMAO 3 determination was made for Districts working collaboratively as a Consortium for purposes of receiving Title III funds by applying the following aggregation rule:

- A Consortium did not meet AMAO 3 for this subgroup if, at a whole combined district level, the majority of the *whole combined districts* did not meet AMAO 3 in the same content area. Otherwise, the Consortium met AMAO 3 target for LEP students in this content area.

AMAO 3: Starting Points and Targets for Academic Proficiency for LEP Students

Under the provisions of Title I of the No Child Left Behind Act (NCLB), New Hampshire set and received federal Title I approval for adequate yearly progress targets for all students. The approved AYP targets for students in grades 3-8 and 11 are based on an index accountability system and are shown in Tables 5 and 6 below.

Table 5:

AYP Annual Measurable Objectives for Grades 3-8:		
	Target Index Score	
	Reading	Mathematics
Starting Point Established: 2005-2006	82	76
2006-2007	82	76
2007-2008	86	82
2008-2009	86	82
2009-2010	91	88
2010-2011	91	88
2011-2012	95	94
2012-2013	95	94
2013-2014	100	100

Table 6:

AYP Annual Measurable Objectives for High School:		
	Target Index Score	
	Reading	Mathematics
Starting Point Established: 2007-2008	84	58
2008-2009	84	58
2009-2010	89	72
2010-2011	89	72
2011-2012	94	86
2012-2013	94	86
2013-2014	100	100

ⁱ New Hampshire is a member of the WIDA consortium of 24 states and has, since the 2005-2006 school-year, administered the newly developed *ACCESS for ELLs*® *Assessment of English Language Proficiency* that was developed by the WIDA consortium. The *ACCESS for ELLs*® *Assessment* was first administered by certain other member states in 2005, and since that time, research data have been collected from three early member states on the performance and progress of the students in these small rural states: Alabama, Vermont, and Maine. As a result of this early research effort involving states with populations similar to that of New Hampshire, these data created the original empirical basis for establishing starting point levels of progress to be expected from students in Title III programs. New Hampshire originally used this research data as the primary reference for determining (AMAO 1) target starting points for each grade span. Although this amended workbook no longer uses grade span progress increments, the findings of this group remain relevant and have since been replicated underscoring the importance of the original finding that as a general rule, students in lower grades or students who begin at lower levels of proficiency can be expected to make greater annual gains relative to older students or students at higher proficiency levels. As student grade level increases or as student proficiency level increases, each year slightly smaller progress gains are seen on average. See, among other works, research paper published by the WIDA consortium: *Issues in the Development of Annual Measurable Achievement Objectives (AMAOs) for WIDA Consortium States*, Cook, H.G.; Boals, T.; Wilmes, C. & Santos, M., 2007.